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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92058412
Party	Plaintiff Spartan Brands, Inc.
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Date	02/07/2014
Attachments	Opposition.pdf(8939 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SPARTAN BRANDS, INC.)	
)	
Petitioner,)	Cancellation No. 92058412
)	
v.)	Registration No. 4,403,243
)	
RANDY APPELL,)	Mark: ICEDC
)	
Respondent.)	Registration Date: September 17, 2013
)	

OPPOSITION TO MOTION FOR EXTENSION

Petitioner, Spartan Brands, Inc. (“Petitioner”) hereby objects to Respondent’s motion for a ninety day extension of time to answer the Petition for Cancellation. Respondent requests the extension on the purported grounds that it needs time to seek counsel. This is in addition to the original forty days in which Respondent had to retain counsel and answer the Petition for cancellation. In other words, Respondent purportedly needs one hundred and thirty days (more than four months) to retain counsel and respond to a Petition for Cancellation alleging abandonment based on non-use. That is amount of time is far too long and appears to be sought for the purposes of delaying this proceeding.

Finally, it is noted that Respondent did not request an extension from Petitioner or serve Petitioner with his motion. Petitioner consents to an extension of seven days from the date hereof.

For the reasons set forth herein, Respondent’s motion should be denied and Respondent ordered to answer the Petition for Cancellation by no later than February 14, 2014.

Dated: February 7, 2014

Tarter Krinsky & Drogin LLP

By: /s/ Mark J. Rosenberg
Mark J. Rosenberg

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